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10/748,661	12/31/2003	Krishna Bharat	0026-0064	2814

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EXAMINER	
AHN, SANGWOO	

ART UNIT	PAPER NUMBER
2168	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/748,661	BHARAT ET AL.	
	Examiner	Art Unit	
	SANGWOO AHN	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *30,33-36,39 and 41-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *30,33-36,39 and 41-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/7/2009 has been entered.

Response to Amendment

Claims 30, 33 - 36, 39 and 41 - 45 are pending in this application.

Claims 33, 33 and 36 have been amended.

Claims 1 – 29, 31 - 32, 37 - 38 and 40 have been canceled.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Applicant mainly argued that Billsus and Polizzi do not disclose "embedding search queries into news content."

Examiner does not entirely agree with this assertion. Although Billsus discloses "extracting" text from the documents and transmitting the extracted text to a server which subsequently uses this as a search query to retrieve related

documents (paragraphs 35 and 59, et seq.), it would been obvious to one of ordinary skill in the data processing art that the search query or the key term must have been "embedded" previously in order for it to be "extracted" in the later stage.

Examiner further asserts that the method of embedding search queries had been prevalent at the time of the Applicant's invention. Also, the phrase "embedding search queries into news document" is open to many interpretations: it could mean 1) embedding a search query into a structured document such as XML or HTML, 2) attaching tag data to a document, 3) attaching metadata comprising search query to a document, 4) embedding a search query into a web document to automate search operation, and so on.

Prior art references that teach the aforementioned features have been cited in this Office Action. One of these prior arts, U.S. Publication Number 2005/0005237 issued to Rail et al., has been used in the 35 USC 103 rejection below. Rest of the prior arts has been noted in the Conclusion section.

Claim Objections

Claim 33 is objected to because of the following informalities:

Claim 33 recites the limitation "the custom news server" in lines 3 – 4. There is insufficient antecedent basis for this limitation in the claim. This error can be easily overcome by amending the phrase to "the one or more news servers."

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 30, 33 – 34, 39, 42 and 44 – 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication Number 2005/0137996 issued to Billsus et al. in view of U.S. Patent Number 6,643,661 issued to Polizzi et al., and further in view of U.S. Publication Number 2005/0005237 issued to Rail et al..

Regarding claim 30, Billsus discloses,

A system, comprising:

a first server configured to:

store a document local to the first server, where the document includes news content, the document being created by the first server (paragraph 29 lines 6 - 8: a document can be a computer application document, a text message, an email message, a calendar entry, a web page, or the like, paragraph 30: content revisitation and digest generation including indexing and retrieval techniques, et seq.), and

send a search query that was embedded within the news content across at least a portion of a network to a second server (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: convert a text fragment of arbitrary length into a weighted query, et seq.); and the second server to:

search the obtained news content based on the search query to obtain search results (paragraph 47 lines 4 - 5: search for content that is closely related to the user's current context, paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, et seq.), and

provide particular news content to the first server based on the search results (paragraph 48 lines 15 – 17: related content is processed and transmitted back to the client module, and thus to the user computing device); the first server being further configured to:

permit a plurality of clients to access, from across the network, the locally created document that includes the news content and the particular news content received from the second server (paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, paragraph 81: generated digest are provided to the user, et seq.), where the first server, the second server, and the plurality of remote servers comprise different network devices that connect to the network (Figure 2, paragraph 37, et seq.).

Billsus does not explicitly indicate that the second server is operable to crawl a corpus of news documents hosted on other servers.

However, Polizzi discloses a crawl server (the second server) operable to crawl documents on server agents (other servers) by navigating the portal, the intranet, and the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents) (Figure 2 elements 235 and 250, column 12 lines 46 – 67, et seq.). At the time of the invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Billsus's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling automatic access to multiple computer systems to retrieve desired data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Billsus does suggest, by disclosing the method of "extracting" text from a document and transmitting the extracted to a server to be used as search query (paragraph 35, paragraph 59, et seq.), that the search query or the key term

must have been "embedded" previously in order for it to be "extracted" in the later stage. However, for the sake of clarity, Examiner hereby provides another prior art, Rail, and sustains that the method of "embedding" search queries had been well-known in the data processing art at the time of the Applicant's invention.

Rail teaches in paragraph 61 lines 2 – 3; 11 – 14; 18 - 19 a web page document that issues a query to the search server. Rail's system allows embedding a query into a document, by embedding codes within the document that subsequently automates a search of the document index hub for relevant documents. At the time of the invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Billsus' method of aggregating news content from multiple sources to incorporate Rail's method of embedding search query into a document, saving web master and user substantial amount of time manually finding desired documents, by automating the search process.

Regarding claim 42, Billsus discloses the search query comprises at least one of one or more keywords (paragraph 35 lines 3 - 6, et seq.).

Regarding claim 44, Billsus discloses the received news content is selected from a particular group of news content based on the one of the embedded search queries (paragraph 35 lines 3 - 6, et seq.).

Regarding claim 45, Billsus discloses a ranked list of news content (claims 14, 33 and 54, et seq.).

Regarding claim 33, Billsus discloses,

A method comprising:

receiving, by one of the custom news servers, a selection of one of the news content documents from a user at a client (paragraph 45 lines 3 – 4: when the user opens the document, paragraph 46 lines 5 - 7: transmissions takes place whenever the user performs an action on the document, et seq.);

retrieving, by a processor associated with the one or more custom news servers, one of the embedded search queries in response to receiving the selection of the one of the news content documents (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, paragraph 45 line 4: text extraction circuit or routine, paragraph 59 lines 3 - 4: text fragment into a weighted query, et seq.); and

sending, by the communication interface or an output device of the custom news server, query data comprising the one of the embedded search queries to a news search server (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, et seq.).

Billsus does not explicitly indicate that the news search server server is operable to crawl a corpus of news documents hosted on other servers and store information associated with the crawled documents.

However, Polizzi discloses a crawl server (the news search server server) operable to crawl documents on server agents (other servers) by navigating the

portal, the intranet, and the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents) (Figure 2 elements 235 and 250, column 12 lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the data processing art to modify Billsus's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling automatic access to multiple computer systems to retrieve desired data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Billsus does suggest, by disclosing the method of "extracting" text from a document and transmitting the extracted to a server to be used as search query (paragraph 35, paragraph 59, et seq.), that the search query or the key term must have been "embedded" previously in order for it to be "extracted" in the later stage. However, for the sake of clarity, Examiner hereby provides another prior art, Rail, and sustains that the method of "embedding" search queries had been well-known in the data processing art at the time of the Applicant's invention.

Rail teaches in paragraph 61 lines 2 – 3; 11 – 14; 18 - 19 a web page document that issues a query to the search server. Rail's system allows embedding a query into a document, by embedding codes within the document that subsequently automates a search of the document index hub for relevant documents. At the time of the invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Billsus' method of aggregating news content from multiple sources to incorporate Rail's method of

embedding search query into a document, saving web master and user substantial amount of time manually finding desired documents, by automating the search process.

Regarding claim 34, Billsus discloses searching, at the news search server, the repository of documents based on the one of the embedded search queries to obtain the news content (paragraph 47 lines 4 - 5, paragraph 55 lines 2 – 4, et seq.) and sending the obtained news content from the news search server to the custom news server across the network (paragraph 48 lines 15 – 17, et seq.).

Regarding claim 39, Billsus discloses the query data includes at least a portion of text from the selected one of the news content documents (paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.).

Claims 41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication Number 2005/0137996 issued to Billsus et al., U.S. Patent Number 6,643,661 issued to Polizzi et al., and U.S. Publication Number 2005/0005237 issued to Rail et al., further in view of U.S. Patent Number 6,581,072 issued to Mathur et al..

Regarding claim 41, Billsus, Polizzi and Rail disclose the method of claim 39, along with generating a search query based on keywords of the new content documents (Billsus: paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.) and searching, at the second server, the repository of crawled documents based

on the generated search query to obtain news content that is related to the search query (Billsus: paragraph 47 lines 4 - 5, paragraph 55 lines 2 – 4, et seq.).

Billsus, Polizzi and Rail do not explicitly disclose fetching the selected one of the news content documents using the URL.

However, Mathur discloses fetching the selected one of the news content documents using the URL in column 11 lines 25 - 33. It would have been obvious to a person of ordinary skill in the data processing art at the time the invention was made to modify Billsus, Polizzi and Rail's system to incorporate the query data comprising a URL as taught by Mathur, thus enabling identification of documents of interest with minimal user intervention.

Regarding claim 43, Mathur discloses the search query comprises a uniform resource locator (URL) of the news content (column 11 lines 25 - 33, et seq.).

Claims 35 – 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billsus, Polizzi and Rail, further in view of U.S. Patent Number 7,058,944 issued to Sponheim et al..

Regarding claim 36, Billsus discloses,

One or more physical memory devices storing instructions executable by one or more processors, comprising:

one or more instructions to receive a selection of one of the news content documents from a user at a client (paragraph 45 lines 3 – 4: when the user

opens the document, paragraph 46 lines 5 - 7: transmissions takes place whenever the user performs an action on the document, et seq.);

one or more instructions to retrieve one of the embedded search queries in response to receiving the selection of the one of the news content documents (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, paragraph 45 line 4: text extraction circuit or routine, paragraph 59 lines 3 - 4: text fragment into a weighted query, et seq.);

one or more instructions to send query data comprising the one of the embedded search queries to a news search server that has stored information associated with other related documents (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, et seq.);

one or more instructions to receive news content from the second server that is related to the query data (paragraph 48 lines 15 – 17: related content is processed and transmitted back to the client module, and thus to the user computing device);

one or more instructions to populate one or more documents of the news content documents with the received news content for access by the user (paragraph 55 lines 2 – 4: collection, summarization and document construction

process to generate the digest, paragraph 81: generated digest are provided to the user, et seq.).

Billsus does not explicitly indicate that the second server is operable to crawl a corpus of news documents hosted on other servers.

However, Polizzi discloses a crawl server (the second server) operable to crawl documents on server agents (other servers) by navigating the portal, the intranet, and the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents) (Figure 2 elements 235 and 250, column 12 lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the data processing art to modify Billsus's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling automatic access to multiple computer systems to retrieve desired data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Billsus does suggest, by disclosing the method of "extracting" text from a document and transmitting the extracted to a server to be used as search query (paragraph 35, paragraph 59, et seq.), that the search query or the key term must have been "embedded" previously in order for it to be "extracted" in the later stage. However, for the sake of clarity, Examiner hereby provides another prior art, Rail, and sustains that the method of "embedding" search queries had been well-known in the data processing art at the time of the Applicant's invention.

Rail teaches in paragraph 61 lines 2 – 3; 11 – 14; 18 - 19 a web page document that issues a query to the search server. Rail's system allows embedding a query into a document, by embedding codes within the document that subsequently automates a search of the document index hub for relevant documents. At the time of the invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Billsus' method of aggregating news content from multiple sources to incorporate Rail's method of embedding search query into a document, saving web master and user substantial amount of time manually finding desired documents, by automating the search process.

Billsus, Polizzi and Rail do not explicitly disclose the embedded search queries in the form of an applet or a hyper text markup language (HTML) iframe.

However, Sponheim discloses the aforementioned feature in column 13 lines 18 – 20. It would have been obvious to a person of ordinary skill in the data processing art at the time the invention was made to modify Billsus, Polizzi and Rail's method to incorporate Beck's use of hyper text markup language iframe, thus enabling an interactive online research system, conveniently locating relevant online site or document to present to a user.

Regarding claim 35, Sponheim discloses the search queries in the form of an applet or an iframe in column 13 lines 18 – 20.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Publication Number 2003/0084048 issued to Dweck et al.: discloses systems and methods to facilitate access to documents via associated tags.

U.S. Publication Number 2002/0073399 issued to Golden: discloses systems and methods to process an extensible markup language input stream by parsing tags and embedded queries in a structure document.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANGWOO AHN whose telephone number is (571)272-5626. The examiner can normally be reached on M-F 10-6.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tim T. Vo/
Supervisory Patent Examiner, Art Unit 2168

12/9/2009
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